

HEARING/REVIEW OFFICER DESIGNATIONS—Continued

Decisionmaker or decision	Hearing officer	Review officer
*District Director, *State Program Chief, *District Specialist.	National Appeals Staff Hearing Officer	**State Director and/or Director, National Appeals Staff.
*State Director, *Regional Director	As appointed by Director, National Appeals Staff.	Director, National Appeals Staff.
Division Director or Assistant Administrator.	As appointed by Director, National Appeals Staff.	Director, National Appeals Staff.
Assistant Administrator	As appointed by Director, National Appeals Staff.	Director, National Appeals Staff.
Deputy or Associate Administrator	As appointed by Director, National Appeals Staff.	Director, National Appeals Staff.

*Decisionmaker for Rural Development Administration or its successor agency under Public Law 103-354 (RDA or its successor agency under Public Law 103-354) cases for Regional Office Operations.

**Review officer will be the Regional Director and/or the Director, National Appeals Staff for RDA or its successor agency under Public Law 103-354 cases.

NOTES

1. District Director also means Assistant District Director or District Loan Specialist.
2. County Supervisor also means Assistant County Supervisor with loan approval authority.
3. The Director of the National Appeals Staff may designate a staff member to conduct a hearing or review. When the hearing/review is completed, the designee will send the complete case file, hearing notes, tape recordings, and a recommended decision to the Director for a final decision. The Director may, for individual cases, delegate final decision authority to a designee.
4. For decisions not directly covered above, advice should be sought from the Director of the National Appeals Staff.
5. An appellant may elect to have an appeal reviewed by the State Director, or the Director of the National Appeals Staff. The decision of the State Director will be subject to further review by the Director of the National Appeals Staff upon request of the appellant.

[58 FR 4065, Jan. 13, 1993]

Subpart C—Applicability of Federal Law

§ 1900.101 General.

This subpart provides Agency policy concerning:

- (a) The applicability of Federal rather than State Law in the conduct of Farmers Home Administration (FmHA) or its successor agency under Public Law 103-354 operations, and
- (b) The liability of an auctioneer for conversion of personal property mortgaged to FmHA or its successor agency under Public Law 103-354.

[44 FR 10979, Feb. 26, 1979, as amended at 45 FR 8934, Feb. 11, 1980]

§ 1900.102 Applicable law.

Loans made by FmHA or its successor agency under Public Law 103-354 are authorized and executed pursuant to Federal programs adopted by Congress to achieve national purposes of the U.S. Government.

- (a) Instruments evidencing or securing a loan payable to or held by the

Farmers Home Administration or its successor agency under Public Law 103-354, such as promissory notes, bonds, guaranty agreements, mortgages, deeds of trust, financing statements, security agreements, and other evidences of debt or security shall be construed and enforced in accordance with applicable Federal law.

- (b) Instruments evidencing a guarantee, conditional commitment to guarantee, or a grant, such as contracts of guarantee, grant agreements or other evidences of an obligation to guarantee or make a grant, executed by the Farmers Home Administration or its successor agency under Public Law 103-354, shall be construed and enforced in accordance with applicable Federal law.

- (c) In order to implement and facilitate these Federal loan programs, the application of local procedures, especially for recordation and notification purposes, may be utilized to the fullest extent feasible and practicable. However, the use of local procedures shall not be deemed or construed to be any